

NEWTON COUNTY DRAINAGE BOARD
NEWTON COUNTY COURTHOUSE – KENTLAND, IN
AUGUST 6, 2012 10:00 A.M.

The Newton County Drainage Board met on **August 6, 2012** with the following persons present: Board Members – Russell Collins, Jim Pistello & Tim Drenth, Surveyor Chris Knochel, County Engineer Larry Holderly, Secretary Debra Chapman Risley, Drainage Board Attorney Dan Blaney and LeAnn Sale.

Minutes – July 16, 2012 – Jim made a motion to approve the July 16th minutes with a second from Tim. **Motion carried and minutes were signed.**

Contracts – Contracts were signed for the following projects: **George Ade Open M-53** and **Thompson Surface Appurtenances Repair M-612.**

Proposals – Hunter Ditch M-602 – Three bids were received for the Hunter Ditch project and they are as follows: Ronnie Madison \$30,795.00; JD Excavating \$22,999.00; King Bulldozing \$47,600.00. Chris' estimate was \$58,305.00. **Jim made a motion to accept the bid from JD Excavating in the amount of \$22,999.00 as long as it meets Chris' specifications. Tim seconded the motion and the motion carried.** **Stack Weiss M-658** – Three bids were received on this project and they are as follows: JD Excavating \$2,156.25; Mattox & Sons \$1,800.00; King Bulldozing \$1,750.00. Chris' estimate was \$2,558.75. **Since the bid was substantially the same as the others and the contractor will already be working in the same general vicinity, Jim made a motion to accept the JD Excavating bid in the amount of \$2,156.25 as long as it meets Chris' specs. Tim seconded the motion and the motion carried.** **O'Brien Open M-610** – Four bids were received for this project and they are: JD Excavating \$4,950.00; Ronnie Madison \$4,560.00; King Bulldozing \$13,775.00; Mattox & Sons \$4,200.00. Chris' estimate was \$17,077.50. **Whereas the contractor is already working in the area, Jim made a motion to accept the bid from Ronnie Madison in the amount of \$4,560.00 as long as it meets Chris' specs. Tim seconded the motion and the motion carried.**

William Whaley Rebid – Chris apologized to the board for his omission of the rip-rap hauling on his own project estimate. Chris had contacted the landowner who agreed that the dirt could be stockpiled and did not all have to be hauled away. Both bids from Ronnie Madison and JD Excavating were originally denied as they did not fall within the 10% parameter of Chris' estimate. Jim mentioned that he wanted to be sure that both contractors have the same information now. **Jim therefore made a motion to rebid the William Whaley Surface Reconstruction with a second from Tim. Motion carried.**

Surveyor's Reports - Simons Lateral to Morrison-Talley M-729 – Chris presented the board with a Surveyors Report on the Simons Lateral. It was brought to the board's attention that at the time Mark Simons addressed this project with the board, he held ownership for approximately 95% of the watershed. Chris recommended an annual assessment of \$15.00/ac. for eight years. This is scheduled for a hearing on Sept. 17, 2012. **Beaver Lake Ditch M-613** – Chris presented the board with a map on which green lines had been drawn to represent landowner initiative. He pointed out that both Larry Miller and Lyle Bussbaum are present for this meeting. The solid green line indicates everything Chris has on record - engineering, historical, landowners, watershed boundaries, etc. The other three pages give a history of the drain. We need some direction from the board as there has been some discussion in the past to just do the entire Beaver Lake watershed. That would not expedite this project as the landowners want to get this done immediately. Chris refers to this area as the Upper Beaver Lake. The landowners (Larry and Lyle) have indicated that they want to mutually do the work however they do not want to be assessed in 4 or 5 years when they have already done work themselves. **Chris wants to separate the Mud, Gregory and Upper Beaver Lake Ditch from the whole Beaver Lake Ditch watershed. Jim made a motion to allow those landowners wishing to do their own work on drainage to receive a credit for work done at the time of future assessments. Tim seconded the motion and motion carried.**

Dora Clymer Tile Claim – Chris presented the board with a copy of an invoice received from Geri & Steves Carpentry which is the result of their exploration done on the Dora Clymer Tile. Chris mentioned that the waterway is in need of repair since the surface water created many gulley's. Due to the extent of work necessary, the assessment rate will need to be increased. It was asked if this is the same location for which trees were removed a while back. Chris said the trees were on the west side of the road which is unregulated. Chris requested a decision on paying the claim to Geri & Steve Howell in the amount of \$2,503.39. **Since there is not enough money in the D. Clymer Drainage Maintenance Fund Jim suggested paying \$1600 (or whatever is in the fund) from Drainage Maintenance and the balance of the bill from the General Drain Improvement Fund.**

Project Claims for 1400 S @ RR – Chris mentioned Keith Spencer is still present for discussion of this item. Chris said historically when a roadside culvert is replaced the highway department furnishes the material and the surveyor's office secures the contractor. Keith needs some direction on how we want to handle this situation. The new culvert was placed under the RR and outlets into the Kentland Conservancy Ditch. Jim said we usually do this on small projects. Larry said the RR Ditch Watershed should pay for it but the pipe was not put in the road right-of way. The pipe was put in out of the ROW. Chris said that was because the utility company used the existing pipe to install their cable. So instead of making them remove their cable and replace the pipe or fixing the pipe we dedicated the existing pipe to the utility company. Deb reported the total expense was approximately \$5500. That includes \$2100 for the culvert and approximately \$3400 for Ronnie Madison to install it. Deb reported we had received the bill from Debco and Chris is therefore questioning who is going to pay for it. The new pipe was installed outside the ROW and the old pipe is blocked. The utility ran the cable through the culvert and the reduction in capacity is essentially zero reported Larry. The pipe is clogged with corn stalks or something. Deb reported the Kentland Conservancy does not have a ditch fund. Larry said the RR Ditch Watershed should pay for it. Dan suggested sending the utility company a bill since it was their action that caused the culvert to be replaced. Jim asked which utility was involved to which nobody was sure of the answer. Jim said to send the utility the bill for the pipe. **Dan said to get him the bill and he will send a letter and bill the utility company. In the meantime, the highway department is to pay for the culvert and Ronnie**

Madison is to be paid from the Kindig-Montgomery Drainage Maintenance Fund. Dan will also bill the Kentland Conservancy for the contractor charges.

Assessment Rate Revisions – William Whaley M-709 - Deb reported that when Chris gave his recommendation for the assessment rate on the William Whaley the amount of \$2,632.42 due the GDIF was not included in his calculation. Therefore instead of an assessment rate of \$1.00/ac., Deb suggested \$1.37/ac. for eight years. This would both reimburse the GDIF and cover the expenses we are going to incur. **This is scheduled for a hearing on Sept. 17th. Jim and Russ suggested setting the rate at \$1.50/ac. Mary E Spitler Tile M-15** – Deb said this is the same situation as the amount due the GDIF was not included in the initial recommendation. Since the amount owed to the GDIF is \$12,662.36, Deb suggests increasing the recommended assessment rate from \$12.00/ac. to \$14.91/ac. for eight years. **The board agreed to recommend \$14.91/ac. This drain is also scheduled for a hearing on Sept. 17th.**

Contract Extension – Deb mentioned that a couple of months ago some of the contracts had been extended by 90 days. The Kindig-Montgomery Bench Repair is not completed and the contractor will not be able to complete the work until the crops are harvested. **Jim made a motion to extend the contract with a second from Tim. Motion carried.**

Other Matters – Hearings - Deb said that the hearings had been scheduled for 1:30 PM on Sept. 17th at the same time as a Water & Sewer Meeting. **Russ suggested that Maria reschedule the Water & Sewer Meeting for 1:00 PM and the Drainage Board Hearings at 1:30 PM. Sumava** – Jim reported that the pipe is at the project site and has already been welded together. Ronnie (Madison) has ordered 25 loads of clay to be hauled up there tomorrow. The landfill is donating the 25 loads of clay or whatever he needs and the highway department is going to move it up there. Then all we need to do is add the gate. Chris asked if he is going to take the sand out and use clay. Jim responded that he is going to dip the sand out and use clay as the bottom so it doesn't wash away again.

Tim made a motion to adjourn with a second from Jim. Motion carried.